

Dear Daphne,

Land east of, College Road, Campdown, Purbrook, Waterloooville

APP/19/01101 – Hybrid planning application comprising; full planning application for the erection of 130 dwellings with the creation of new access onto College Road, landscape, drainage, car parking and associated works; and outline planning application for up to 650 dwellings, community and nursery facility (use class D1 and D2), retail unit (use class A1), public open space, landscaping, diversion of public right of way and associated works and infrastructure.

Consulted Member delegated decision from Chichester Harbour Conservancy

Recommendation – Holding objection, which may be removed if ecological issues are clarified and resolved.

If they can be resolved is likely no objection may be ultimately raised, subject to S.106 planning obligations including –

- Provision and timing of the works to create the wintering birds refuge before first occupation of any dwelling, in accordance with sections 4 and 6 of the submitted WYG Winter Bird Mitigation Strategy and Policy E25 of the consultation draft Havant Borough Local Plan 2036;
- developer contribution to reduce recreational disturbance at the Solent SPA's under Policy DM24;
- mitigation for loss of land known to support wading birds using the adjacent SPA;
- ongoing future maintenance of SUDS and unconveyed soft and hard landscaped areas;
- implementation of any Nitrogen Budget via an implementation plan (including any necessary developer contribution) agreed with Natural England and approved prior to the council's determination of APP/19/01101, with an appropriate, audit trail (available to public scrutiny) to demonstrate compliance. (The Conservancy notes the Council's position on the use of Grampian style conditions, but considers a planning obligation would be more robust for this critical item);
- delivery of the 7.68ha of open space offered on page 21 of the submitted design and access statement, with provision for its future maintenance and the future maintenance of retained woodland.

and planning conditions to ensure –

- Agreement and implementation of the CEMP, including lighting during construction to avoid disturbance to foraging bats;
- Implementation of the submitted EMMP, including implementation of all listed ecological enhancements and the timing the removal of defunct hedgerow and trees to occur November to February, in the interests of nature conservation;
- Provision in full of the perimeter footpath/cycleway;
- Provision of open spaces, whether on the detailed block plan for Phase 1 or indicated in the illustrative layout for the remaining phases;
- Any retained tree (i.e. all trees graded A or B in the Barrell arboricultural survey) to be protected by fencing during construction;
- Any detailed landscaping scheme to be fully implemented/retained;
- Any submitted biodiversity enhancements be delivered/retained and where located on dwellings, implemented before first occupation of each respective dwelling;
- Assessment of whether any prescribed contaminants discovered need remediation;
- Details of foul and surface water drainage are agreed;

- Archaeological assessment and appropriate recording of finds.

Following a desktop analysis and having regard to the Policy framework* below, the proposed housing development would appear - (notwithstanding pre-application discussions with the council since October 2016) - premature to the proper consideration of the Draft Havant Bough Local Plan H40 proposed site allocation.

The closest part of Chichester Harbour AONB to the site is some 2.8km.

As an opening observation, it is noted that the draft H40 allocation refers to a site of 26.6 ha (as does page 2 of the submitted Design and Access Statement), but that the combined areas of the detailed and outline parts of the application forms a total of 22.36 ha. Some of the submitted reports and Environmental Statement (ES) also use a figure of 31 ha. As an aside, pages 9 and 15 of the submitted WYG Infrastructure Delivery Statement (IDS) talk of a development of 781 dwellings, which are also assumed to be typographical errors.

Reference is made to D2 land use being proposed in the description of development, yet the IDS says no provision of sports pitches was found to be necessary. Any recreational provision which provides an alternative to visiting the Langstone and Chichester Harbours Solent SPA will be supported by the Conservancy.

The Conservancy notes the H40 allocation talks of a development including 560 dwellings and yet 780 are proposed, with little explanation by the applicant of why such a significant jump in numbers has occurred (the submitted winter bird mitigation strategy talks of 'circa 735' dwellings on page 2).

Indeed, only 350 dwellings had appeared in table 2 of the (now revoked) 2016 council Housing Statement, where the site was listed as reference UE70.

If only 560 are considered necessary by the council to form part of securing an overall 5 year housing land supply, additional early loss of supporting habitat and recreational pressure to the Langstone and Chichester Harbours Solent SPA is not necessary or desirable at this time.

The Conservancy is surprised that the applicant has not consulted the Langstone Harbour Board (see first paragraph to page 15 of the submitted Design and Access Statement), given the proposed Winter Bird Mitigation Strategy and the suggested synergy with Langstone Harbour.

Conservancy Officers have read relevant submitted particulars (including the Environmental/Habitats Regulations Assessment), mostly in terms of their pertaining to likely impacts to the Langstone and Chichester Harbours Solent SPA/SAC/Ramsar/SSSI ecological designations.

Main ecological impact to wildlife, particularly wintering birds

One issue about developing the site is that it is recognised under the HBLPSA DPD Policy DM23 as an uncertain site for brent geese and waders. The starting point should be avoidance when managing impact and noting that the presumption in favour of sustainable development does not apply where adverse impact to a habitats site - (in this case supporting habitat to the Langstone and Chichester Harbour Solent SPA) - under paragraph 177 of the NPPF.

The applicant's own commissioned survey work does record good numbers of curlew (150) and brent geese (50) in fields H113 and H125 respectively from 2015/16 and 2016/17 surveys. The County Ecologist believes this to potentially be the 'single largest

terrestrial site for this species in the Chichester and Langstone Harbours SPA catchment' (4% of the wintering population, where curlew are noted to be a fast declining species). It is unfortunate that the location of the 4 fields surveyed (other than reference to H02A in Appendix 9.1) were not mapped and their respective areas in hectares not recorded. It is therefore difficult to understand the quantitative mitigation in terms of area, if the applicant is suggesting certain parts of the application site are not used by overwintering birds to feed, rest and bathe.

I note that the County Ecologist has raised some pertinent queries about impact avoidance when designing the layout and the delivery of the refuge being offered in mitigation, especially where curlew are very prone to recreational disturbance. The timing and number of some other surveys in terms of bats and the botanical value of the fields are also criticised. It is understood that the County Ecologist suggested trialling the use of the Policy E25 Broadmarsh land in pre-application discussions, but this has not taken place. Without certainty about the success of the refuge, the Conservancy cannot agree with the conclusion of paragraphs 9.7.7 and 9.8.2 of Chapter 9 to the ES. The conclusions of paragraph 9.7.25 also seem illogical.

Curiously, this refuge is not even referred to in the infrastructure provision table as part of paragraph 2.1 of the submitted WYG Infrastructure Delivery Statement, albeit there is a small cross reference at page 26.

Whilst a commuted sum is being offered through a S.106 to establish the refuge - (which is currently (mostly and by the applicant's own admission) - unsuitable and disturbed by dog walkers who may freely access the land), future maintenance thereafter is unclear. There is only an aspiration by the applicant that RSPB or a local wildlife trust might take on management. Such agreements need to be watertight, legally binding and set out in writing.

The further views of the Conservancy's Ecologist are set out in an attachment to this email, which expand on the Conservancy's concerns above.

Landscape impact

Whilst the applicant may claim provision of public open space in excess of council standards, it should be remembered that in landscape terms this is already an open area, which gives welcome relief from surrounding built form. This feeling of openness has amenity value of itself and will be largely lost if the development proceeds. The Conservancy is satisfied that no visual impact to the setting of the Chichester Harbour AONB would result from the development. It is clear that a localised impact to landscape character would of course occur from developing an open/undeveloped piece of land.

It is noted from the submitted WYG Infrastructure Delivery Statement (page 18) that overhead HV cables will need to be diverted as a result of the development. Consideration should be given to burying the cables underground) to reduce their landscape impact.

The overall approach to design and layout is supported and its evolution well explained by the submitted Design and Access Statement (DAS). Choice of external facing and roofing material colours strategy seems reasonable, although page 22 of the DAS does not reflect the intended variety. The image of the engineering brick detail to a block of flats is very poor, with no local vernacular precedent. That detail should not be approved.

The arguments for in curtilage parking are understood, but could still lead to the development easily looking car dominated, with little front boundary enclosures giving

clear delineation between public and private realms. The applicant seems very dismissive of the use of parking courts or as part of a 'homezone' street layout within the lower hierarchy streets. Greater variety of approach will lead to a more distinctive, legible place being created and should be applied in future phases of the development. No mention is made of visitor parking within the streets.

Tree and hedgerow cover as habitat

We note that Barrells Tree Consultants have offered the applicant to prepare structural planting plans, which would have been useful, if only in an illustrative way, for the Outline part of the application, to help the council assess landscape impact.

It is disappointing that trees surveyed and to be retained (and in some cases protected by TPO's either on or overhanging the site, are not shown on the (seven) Allen Pyke detailed landscape planting plans for the Phase 1, Full application part, of the site. It is also noted that Barrells considered certain trees had not been recorded on the topographical survey of the site. It is noted that none of the trees on the site are considered to have status as 'veteran trees' and hedgerows only considered to be of local importance and unlikely to meet the qualifying criteria for a Hedgerow Order. The strategy of reinforcing existing hedgerows with new plantings is supported.

Whereas 100 trees are proposed to be planted as part of Phase 1, 6 trees graded U and 29 graded C are apparently to be felled. This level of new tree planting therefore seems a little 'light' for a development of 130 dwellings in phase 1, given the applicant's aspiration to create a good buffer to the perimeter of the (wider) site, in what the council considers to be a Local Ecological Network Opportunity Area.

Reading the DAS, it is pleasing to note that the applicant has chosen to work with the site contours, but the Conservancy still notes Barrell's advice about the detrimental impact of altering levels around trees which are to be retained. Finished levels do not appear on the Allen Pyke plans, so the Conservancy advises caution on this point and that further clarity be sought.

Drainage and water quality

It is noted that the Environment Agency currently objects to the application and has concerns for groundwater protection from pollution. Drainage is assumed to naturally fall south and onwards towards the coast once it has left the site – i.e. to Langstone Harbour, which is part of the Langstone and Chichester Harbour Solent SPA. The Conservancy would wish to see that the release of any attenuated surface water run-off from SUDS does not cause any deleterious impact to water quality in the SPA.

In terms of foul drainage, the use of pumping stations to overcome site contours is noted. It is unclear whether Southern Water are to adopt these pumping stations. This should be clarified by the applicant.

The Conservancy notes the council's position statement on nutrient neutrality (especially measures in paragraph 40) and that the intention is for the applicant to prepare a Nitrogen Budget for Natural England's approval. The Conservancy notes that under Habitats Regulation 63(5) this should be before the council determines the application (applying the precautionary approach to the protection of SPA's) and would expect to see delivery of the Nitrogen Budget secured as a S.106 planning obligation, with a clear paper audit trail to demonstrate compliance.

The Conservancy notes that the land is currently only grazed, rather than farmed in terms of growing arable crops. The Conservancy wonders what 'nutrient saving' will actually be achieved from the land no longer being grazed?

Other matters

The air quality impacts of additional vehicular movements on and off the site do not appear to have been assessed. This is a significant development, so the finding is rather surprising.

Impacts to new residents from the A3(M) and College Road have been concluded to be of no significant effect under the ES.

It is noted that Hampshire Constabulary has some concerns about the circular footway/cycleway around the site boundaries. The Conservancy favours such facilities as an alternative to taking recreation at the shoreline of Chichester Harbour and the potential for recreational disturbance that brings. Given that layouts are illustrative for the outline parts of the site, there is still scope to design and orientate dwellings to offer better natural surveillance of the perimeter footway/cycleway. The Conservancy notes that the LEAP for older children is in a rather unfortunate position close to the footbridge over the A3 (M). In terms of child safety, that LEAP could be better located.

The developer has had clear regard to heritage assets at the site in designing the layout.

There appears to be a small typographical error in paragraph 4.2 of the submitted EMMP, where Taylor Wimpey is referred to, not the applicant, Persimmon Homes.

It is noted from the statement of community involvement that the County Council as Minerals and Waste Planning Authority does not consider the impact to safeguarded land for sand deposits to be adverse and does not seem to be raising an objection on that point.

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